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**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON**

EDWARD COLLINS,) Case No.
)
Plaintiff,) COMPLAINT FOR VIOLATION
) OF FEDERAL FAIR DEBT
vs.) COLLECTION PRACTICES ACT
) AND INVASION OF PRIVACY
WASHINGTON COLLECTORS)	
TRI-CITIES, INC.,)
)
Defendant.)

I. NATURE OF ACTION

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter "FDCPA") and of the Revised Code of Washington, Chapter 19.16, both of which prohibit debt collectors from engaging in abusive, deceptive, and unfair practices. Plaintiff further alleges a claim for invasion of privacy by intrusion, ancillary to Defendant's collection efforts.

COMPLAINT FOR VIOLATIONS OF THE FAIR
DEBT COLLECTION PRACTICES ACT-5

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3 **II. JURISDICTION**

4 2. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d).

5 **III. PARTIES**

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7 3. Plaintiff, Edward Collins, is a natural person residing in the State of
8 Washington, County of Douglas, and City of East Wenatchee.

9
10 4. Plaintiff is a “consumer” as defined by the FDCPA, 15 U.S.C. §
11 1692a(3), and a “debtor” as defined by RCW § 19.16.100(11).

12
13 5. At all relevant times herein, Defendant, Washington Collectors Tri-
14 Cities, Inc., (“Defendant”) was a company engaged, by use of the mails and
15 telephone, in the business of attempting to collect a “debt” from Plaintiff, as
16 defined by 15 U.S.C. §1692a(5).

17
18 6. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. §
19 1692a(6), and a “licensee,” as defined by RCW § 19.16.100(9).

20
21 **IV. FACTUAL ALLEGATIONS**

22 7. At various and multiple times prior to the filing of the instant complaint,
23 including within the one year preceding the filing of this complaint, Defendant
24 contacted Plaintiff in an attempt to collect an alleged outstanding debt.
25
26
27

1 Defendant's conduct violated the FDCPA and RCW § 19.16 in multiple ways,
2 including but not limited to:

- 3
- 4 a. Failing to provide Plaintiff with the notices required by 15 USC §
5 1692g, either in the initial communication with Plaintiff, or in writing
6 within 5 days thereof (§ 1692g(a));
- 7 b. Overshadowing the disclosures required by 15 USC § 1692g(a) during
8 the thirty-day dispute period, including demanding that Plaintiff
9 immediately pay the debt or contact the Defendant to make payment
10 arrangements in the initial dunning letter (§ 1692g(b)).

11 **COLLECTION PRACTICES ACT**

- 12 8. Plaintiff reincorporates by reference all of the preceding paragraphs.

13 **PRAYER FOR RELIEF**

14 WHEREFORE, Plaintiff respectfully prays that judgment be entered
15 against the Defendant for the following:

- 16
- 17 A. Declaratory judgment that Defendant's conduct
- 18 violated the FDCPA;
- 19 B. Actual damages;
- 20 C. Statutory damages;
- 21 D. Costs and reasonable attorney's fees; and,
- 22 E. For such other and further relief as may be just and proper.
- 23
- 24
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- 27

**COUNT II: VIOLATION OF WASHINGTON COLLECTION AGENCY
ACT, WHICH IS A PER SE VIOLATION OF THE WASHINGTON
CONSUMER PROTECTION ACT**

9. Plaintiff reincorporates by reference all of the preceding paragraphs.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that judgment be entered
against the Defendant for the following:

- A. Actual damages;
- B. Discretionary Treble Damages;
- C. Costs and reasonable attorney's fees,
- D. For such other and further relief as may be just and proper.

Respectfully submitted this 15th day of September, 2009.

s/Jon N. Robbins
Jon N. Robbins
WEISBERG & MEYERS, LLC
Attorney for Plaintiff